



George Latimer  
County Executive

Department of Law  
John M. Nonna  
County Attorney

**VIA CM/ECF**

Honorable Philip M. Halpern  
United States District Judge  
Hon. Charles L. Brieant Jr.  
Federal Building and Courthouse  
300 Quarropas Street, Room 520  
White Plain, NY 10601

Application granted. The Clerk of Court is respectfully directed to terminate David H. Chen and Phoenix Marino as attorneys in this action.

SO ORDERED.

A handwritten signature in black ink, appearing to read "Philip M. Halpern", written over a horizontal line.

Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
June 15, 2023

**Re: Letter Motion to Substitute Attorney (David H. Chen)**  
*Delux Public Charter, LLC, et al. v. County of Westchester,*  
No. 22-cv-1930 (PMH) (S.D.N.Y.)

Your Honor,

Pursuant to Local Civil Rule 1.4, defendant/counterclaimant County of Westchester (the “County”) writes to request that (i) David H. Chen, Esq. and Phoenix Marino, Esq., be relieved from representation of the County in the above-referenced action; and (ii) that their appearances be terminated from the docket.

I make these requests because Mr. Chen and Ms. Marino have resigned from the Westchester County Attorney’s Office (“WCAO”). The County will remain represented by the three other WCAO attorneys, two of whom have already appeared. (*See* CM/ECF Dkt. Nos. 13, 52.)



In accordance with Local Civil Rule 1.5, please note that neither Mr. Chen nor Ms. Marino has a retaining or charging lien on this file. (*Cf.* LCR 1.4 (requiring a showing “whether or not the attorney is asserting a retaining or charging lien))).

Respectfully submitted,

**JOHN M. NONNA**

Westchester County Attorney

*Attorney for Defendants*

By: 

Sean T. Carey (SC8804)

Associate County Attorney, of Counsel

Michaelian Office Building

148 Martine Avenue, Room 600

White Plains, NY 10601

CC: All Parties (*via CM/ECF*)